IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.637 of 2007

in

Notice of Motion NO.4658 of 2005

Fatimbabai Binte Nakhuda Mohamed
Ameen Rogay Religious and
Charitable Trust and Ors. .. Appellants

V/s

The Municipal Corporation for
Gr.Bombay and Ors. .. Respondent

Shri P.S.Dani i/b Ashoka Law Firm for the Appellants
Shri Bharat Joshi for Respondent no.4
Ms Geeta Joglekar for BMC

CORAM:S.R.SATHE,J.

DATED:9th Oct. 2007

P.C.:-

1. Heard both the learned advocates.

2. After hearing them for some time and some suggestions were made for disposal of this A.O.. Both the learned Advocates fairly submitted that directions be issued for disposal of the suit as expeditiously as possible. By consent following order is passed.

i. The trial Court is directed to dispose of the Suit No.5318 of 2005 on merits according to law as expeditiously as possible and in any event within 6 months from today.

ii. While disposing of the suit the trial Court should not give any weightage to the observations made in the order while disposing of Notice of Motion.

iii. Both the parties are directed to appear before the City Civil Court on the date which is already fixed by the Court. Parties to cooperate the Court for disposing of the suit as early as possible.

iv. Both the parties to maintain status quo in respect of the suit property as of today till the disposal of the suit.

v. A.O. disposed of in the above terms without going into the merits of the case and correctness or otherwise of the observations made in the order passed in Notice of Motion.

3. Parties to act on authenticated copy of this order.

(S.R.SATHE,J.)